

# **Guide to fill out Sole Source Justification Template**

## **What is a Sole Source?**

**The only source known to be able to perform a contract, or one source among others that, for justifiable reason(s), is found to be most advantageous for the purpose of contract award.**

## **What is Market Research?**

**Collecting and analyzing information about capabilities within the market to satisfy agency needs.**

**Sole Source Justification and Market Research go hand in hand and it is all of our responsibility to promote competition!**

## **(TEMPLATE) SOLE SOURCE JUSTIFICATION**

In accordance with the authority granted under FAR Part 13, this request for a noncompetitive procurement is hereby submitted.

1. Identification of the agency and the contracting activity:

**(Requester fills out)**

**Bureau of Land Management, (applicability) - Montana State Office or (insert) Field Office.**

2. Nature and/or description of the action being approved:

**(Requester fills out)**

**Describe nature and description of action being approved. This item shall include project identification such as authorizing legislations, including citations, or other internal program identifying data such as title; purchase order/contract number, etc.**

**“Due to the circumstances described below, request the following be acquired using a noncompetitive procurement in support of BLM requirement for (example: software maintenance, ....)**

3. A description of the supplies or services required to meet the agency’s needs (including the estimated value):

**(Requester fills out)**

**Provide a narrative description of item(s) or service(s). This narrative should be a full description (brief but concise) of the supplies or services required to meet the agency’s needs.**

**\*\*\*Note: It is not required to go into minute details, but to offer a full description of who, what, where, when, and why.**

**In addition to a technical overview, the description should include a discussion of where this requirement fits into the overall program, i.e., briefly state how this requirement was purchased in the past; if future requirements are planned; if they will be competitively acquired and if not, what action will be needed to avoid a follow-on noncompetitive procurement.**

**The estimated price of this requirement is: (include a dollar amount, unit and total, if appropriate). This estimate is based upon: (i.e., history of prices OR program manager's expert judgment based upon the similar requirements OR other appropriate description of the rationale used to determine the estimated price. (Government Estimate)**

4. An identification of the Statutory Authority permitting noncompetitive procurement:

**(Joint effort with program and procurement)**

**An example of an authorization by law is the Sikes Act, which authorizes BLM to award contracts to State Fish and Game Departments to implement projects on or benefiting Federal Lands. Another example is budgetary legislation, which designates a specific contractor as the intended recipient of contracted project work.**

**Patent rights or copyrights prevent other sources from competing. Need proof.**

**(NOTE: All justification and factual information must be consistent and precisely related to the cited exception and authorities.)**

5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited:

**(Requester fills out)**

**Describe the circumstances which lead to the conclusion that "there is only one source" from which this requirement may be satisfied and which meet the factual test for the use of the exception cited above.**

**Justifications shall be supported by verifiable facts rather than mere opinions. Documentation in the justification should be sufficient to permit an individual with technical competence in the area to follow the rationale.**

**(NOTE: A lack of planning, either from a delivery or funding viewpoint is not sufficient to justify noncompetitive procurement.)**

6. A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by Federal Acquisition Regulation (FAR) Subpart 5.2, and, if not, which exception under 5.202 applies:

**(Joint effort with program and procurement)**

**(NOTE: Cite and take credit for all efforts to seek additional sources.)**

7. A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable, and the basis for that determination:

**(Procurement fills out)**

8. A description of the market research conducted (FAR part 10) and the results or a statement of the reason market research was not conducted:

**(Requestor fills out)**

**Recite the results of efforts to identify additional sources.**

9. Any other facts supporting the use of other than full and open competition FAR 6.303-2(a) (9)):

**(Requestor fills out)**

**This section may be used to add factual information to clarify, expand upon or defend the unique qualifications, character or nature of the acquisition generally cited in Item No. 4.**

10. A listing of sources, if any, that expressed, in writing, an interest in the acquisition:

**(Requester fills out)**

**-Some one has contacted you in the past about this effort, project or supply item.**

11. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required:

**(Joint effort with program and procurement)**

**CERTIFICATIONS:**

I, hereby, certify that this requirement does not exceed the Government's minimum needs or scheduled requirements, and that the basis for award under other than full and open competition is complete and accurate to the best of my knowledge and belief:

\_\_\_\_\_  
Requisitioner's Signature

\_\_\_\_\_  
Date

I, hereby, certify that this justification for other than full and open competition is accurate and complete to the best of my knowledge and belief:

\_\_\_\_\_  
Contracting Officer's Signature

\_\_\_\_\_  
Date